



Planning & Community Development

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Construction Activities Adjacent to Regulated Shorelines

If you are planning to do any construction or property maintenance in or adjacent to a regulated shoreline, your project will need review by the City and possibly by the Washington State Department of Ecology. The shoreline jurisdiction was established by the State under the Shoreline Management Act (SMA).

Where does the SMA apply?

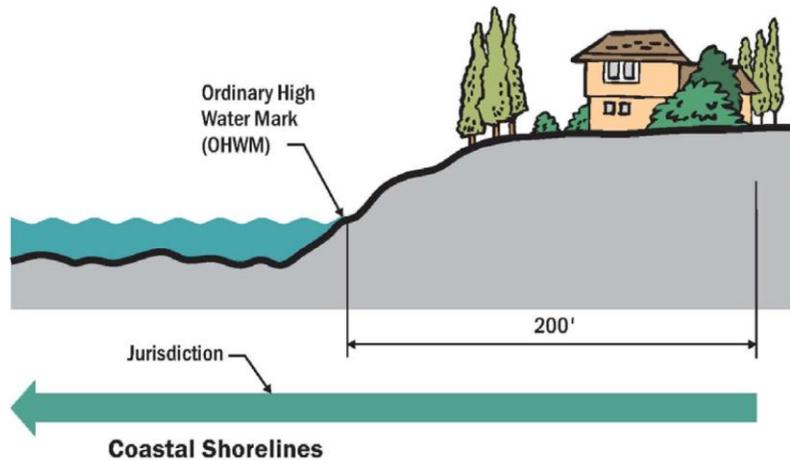


Figure 5-14: Shoreline jurisdiction for shorelands bordering marine waters and lakes extends 200 feet landward from the OHWM.

Source: Washington State Department of Ecology, SMP Handbook (4/2/13)

Definitions of Shoreline Jurisdictions in the SMA

- All marine water.
- Streams with a mean annual flow greater than 20 cubic feet per second.
- Lakes of 20 acres or more.
- Upland areas called shorelands 200 feet landward from the edges of these waters.
- The following areas when they are associated with one of the above: biological wetlands and river deltas; and some or all of the 100 year floodplain including all wetlands within the entire floodplain.

Permit Processing Hours:

Monday to Friday
8:00 a.m. to 4:00 p.m.

Business Hours:

Monday to Friday
8:00 a.m. to 5:00 p.m.

What is a Shoreline Permit?

All development with the shoreline jurisdiction shall be consistent with the Shoreline Municipal Code Chapter 16.10, the Shoreline Management Act of 1971, and the City of Shoreline Development Code. Either a shoreline exemption or a substantial development permit is needed in conjunction with a City of Shoreline development permit.

What is Exempt?

A shoreline exemption application can be obtained through the City. The most common exemptions are:

- Projects valued under \$5,000.
- Normal repair or maintenance of existing structures including damage by fire, water, and weather.
- Normal bulkheads to protect residences as long as more land is not created waterward.
- Bulkhead repair with the minimal extension waterward to place footings.
- Emergency construction to protect property.
- A single-family residence within the development standards.
- Some watershed restoration projects.

What is a Substantial Development Permit?

Projects that exceed the exemption thresholds above require a substantial development permit (SDP) from the City, which will require public noticing and final State review and approval.

What Other Approvals May Be Needed?

Hydraulic Permit Approval (HPA) is needed for all work (exempt or substantial) that is *waterward* or some work *landward* of the ordinary high water mark that will directly impact aquatic life or habitat. Bulkhead repair, dredging, filling, pilings, docks, and any interference to legal public access are typical examples for HPA review. A Joint Aquatic Resource Permit Application (JARPA) must be submitted to the City for State approval to receive an HPA. A JARPA can be used to consolidate other approvals such as Water Quality Certifications, 404 and 10 permits, and City critical area use permits. The City cannot issue a construction permit until the applicant receives the HPA.

State Environmental Policy Act (SEPA) review may be needed unless the project is categorically exempt from SEPA. If not exempt, a SEPA checklist needs to be submitted and a SEPA determination by the City is required prior to the issuance of a substantial development permit. Public noticing is required for all projects subject to SEPA.

SMA Conditional Use and Variance Permits - Shoreline uses that are not permitted outright but are conditionally allowed in the shoreline jurisdiction require a SMA conditional use permit from the City. Projects that do not meet the SMA requirements for construction standards and dimensional requirements require a SMA variance permit. These permits are subject to review and approval from the State.